

'01 JUN 12 AM 8 54

)

1

2

1

)

1

2

1

)

1

1

),

)

)

1

2

1

)

)

DOCKET NO. 01-00451

Comes the Office of the Attorney General & Reporter, through its Consumer Advocate and Protection Division (hereinafter “Attorney General”), pursuant to Tenn. Code Ann. § 65-4-118(c)(2)(A), and petitions to intervene in this case. For cause the Petitioner would show as follows:

1. The Attorney General is authorized by Tenn. Code Ann. § 65-4-118 (c)(2)(A) to initiate a contested case, and participate or intervene in proceedings to represent the interests of Tennessee consumers in accordance with the Uniform Administrative Procedures Act (UAPA).

2. United Telephone Company (“United Telephone”) is a company regulated by the

Tennessee Regulatory Authority (“TRA”). United Telephone provides telecommunications services in eight (8) exchanges located in Belfast, Chapel Hill, College Grove, Estill Springs, Flat Creek, Fosterville, Nolensville and Unionville. See Petition of United Telephone Company to Change and Increase Certain Intrastate Rates and Charges, Docket No. 01-00451.

3. United Telephone has filed a Petition seeking changes in its tariffs that would, in effect, raise the rates paid by its customers. Paragraph 10 of the Petition describes the rate increase as follows:

The new tariffs as filed, if approved would: (a) remove as separate billed items for touch telephone of \$1.00 for residential service and \$1.50 for business lines and include these charges in the basic telephone charges; (b) remove the temporary credit of \$2.00 per month on the residential lines and \$4.00 per month on the business lines which were placed into effect by the Tennessee Public Service Commission in Docket No. U86-7475. These “temporary” credits were placed in effect in 1988 because of an over earning situation and were intended to be temporary; (c) increase most of the residential rates by \$1.00 per month and the business rates by \$4.00 per month. The testimony of the Company’s witnesses will explain the differences in exchange rates, primarily based on calling scope. If the requested changes including the lifting of the credits are approved by the authority, most of the residential rates would be \$12.44 per month and the business lines would be \$21.44 per month. (Emphasis added.)

4. The Petition of United Telephone, however, provides insufficient support for the claim that the rates paid by individual customers need to be increased. Thus, in Paragraph 7 of the Petition United Telephone makes the following general assertions in support of the proposed increase:

Under the present rates, the Company’s revenues and revenue projections are not sufficient and cannot be made sufficient: (a) to allow the Company to earn a fair rate of return to which it is entitled under Article I, Section 8 of the Constitution of Tennessee, and the 14th Amendment to the Constitution of the United States; (b) to provide a fair rate of return on its investment for a reasonable period; (c) to attract on reasonable terms the large sums of additional capital required to adequately maintain, expand and improve the Company’s plant in Tennessee to meet the needs of the public for additional improved

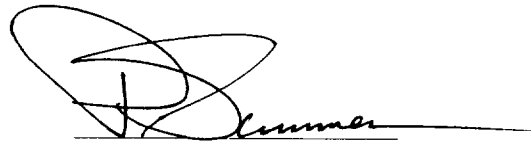
telephone service and to maintain existing service levels; (d) to maintain its operations at a level that will not be materially impaired or damaged.

5. Such general assertions, however, are insufficient to support the proposed rate increase for the customers of United Telephone.

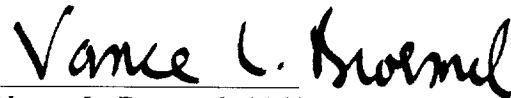
6. Accordingly, the Attorney General seeks to intervene in order to: (1) oppose the proposed rate increase on the ground that there is insufficient information to support it; (2) develop fuller information through data requests and other discovery procedures allowed by law enabling the TRA and the Attorney General to more adequately review United Telephone's rate request; and (3) otherwise protect the public interest.

Wherefore the Petitioner prays the TRA to grant its Petition to Intervene.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. G. Summers", with a long horizontal line extending to the right.

Paul G. Summers, 6285
Attorney General and Reporter

A handwritten signature in black ink, appearing to read "Vance L. Broemel", with a long horizontal line extending to the right.

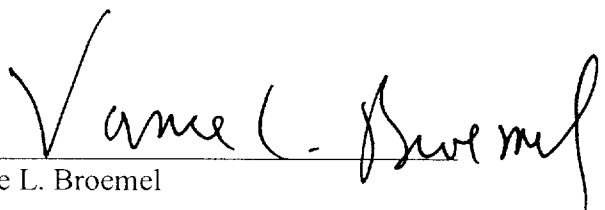
Vance L. Broemel, 11421
Assistant Attorney General
Consumer Advocate and Protection Division
John Sevier Building, 3rd Floor
425 5th Avenue North
Nashville, Tennessee 37243-0500
(615)-741-8700

Certificate of Service

I hereby certify that a true and correct copy of the Petition to Intervene was served on parties below via U.S. Mail, postage prepaid, this June, 12th, 2001

T.G. Pappas, Esquire
Bass, Berry & Sims
315 Deadrick Street, Suite 2700
Nasdhville, Tennessee 37238-0002

Richard Collier, Esquire
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243
Nashville, TN 37219


Vance L. Broemel